

Customer No. : 31561
Application No.: 10/064,424
Docket NO.:9407-US-PA

REMARKS

Present Status of the Application

It is noted with great appreciation that the Office Action considers claims 3 and 7-9 as being allowable, if rewritten to overcome the rejections under 35 U.S.C. 112, 2nd paragraph asserted in the Office Action. In response thereto, Applicants have amended claims 1 and 5 according to the Examiner's suggestions to render the 112, 2nd paragraph moot. Applicants have also cancelled claims 3 and 7, without disclaimer, prejudice or waiver. Upon entry of the amendments in this response, claims 1-2, 4-6, 8-9 remain pending in the present application. More specifically, claims 3 and 7 have been cancelled, and independent claims 1 and 5 have been amended respectively to incorporate the subject matter of claims 3 and 7 which the Examiner considered as allowable subject matter. Applicants have cancelled the aforementioned claims merely to reduce the number disputed issues and facilitate early allowance and issuance of other claims without conceding that the 102(b) and the 103(a) rejections are properly based. Applicants also reserve the right to pursue the subject matter of these cancelled claims in a continuing application, if Applicant so chooses. It is believed that no new matter has been added to the application by the amendments made to the claims or otherwise in the application.

In light of the foregoing amendments and for at least the reasons set forth hereinbefore, Applicants respectfully submit that all objections and/or rejections have been traversed,

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rendered moot, and/or accommodated, and that the now pending claims 1-2, 4-6, 8-9 are in condition for allowance. Favorable consideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned.

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CONCLUSION

For at least the foregoing reasons, it is believed that the presently pending claims 1-2, 4-6, 8-9 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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